

## **Exhibit A**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MAGGIE McNAMARA, ) CIVIL ACTION - LAW  
 )  
Plaintiff )  
 )  
-vs- )  
 )  
SUSQUEHANNA COUNTY, et )  
al, )  
 )  
Defendants x No. 3:17-CV-2182-MEM

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DEPOSITION TESTIMONY OF

**MAGGIE McNAMARA**

WEDNESDAY, JUNE 6, 2018

KREDER, BROOKS, HAILSTONE, LLP  
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**COPY**

**COUNSEL PRESENT:****On behalf of the Plaintiff:**

MAZZONI, KARAM, PETORAK & VALVANO  
 BY: CHRISTOPHER J. SZEWCZYK, ESQ.  
 321 Spruce Street - Suite 201  
 Scranton, PA 18503

**On behalf of the Defendant:**

KREDER, BROOKS, HAILSTONE, LLP  
 BY: A. JAMES HAILSTONE, ESQ.  
 220 Penn Avenue - Suite 200  
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**STIPULATIONS**

It was stipulated and agreed by and between counsel that the reading, signing, sealing and filing of the deposition transcript be waived.

It was further agreed that all objections except as to the form of the question will be reserved until the time of trial.

**INDEX OF WITNESSES**

<u>EXAMINATION</u>	<u>PAGE NUMBER</u>
MAGGIE McNAMARA	
By Mr. Hailstone . . . . .	3

**INDEX OF EXHIBITS****DEFENDANT**

<u>EXHIBIT NUMBER</u>	<u>DESCRIPTION</u>	<u>MARKED</u>
1	12/30/15 Written warning . . .	19
2	Rich Ely note . . . . .	22
3	Rule 26 disclosures. . . . .	25
4	McNamara resignation letter. .	55
5	Stoud resignation letter. . .	57
6	Counseling session. . . . .	61
7	6/13/16 Stoud letter. . . . .	63

1        M A G G I E            M c N A M A R A ,

2        WAS CALLED, AND HAVING BEEN DULY SWORN,  
3        WAS EXAMINED AND TESTIFIED AS FOLLOWS:

4  
5        **EXAMINATION BY MR. HAILSTONE:**

6                Q.        Good morning, Ms. McNamara. My name is  
7        Jamie Hailstone. I represent the Defendant,  
8        Susquehanna County, in an action that you brought.

9                Today we are going to take your  
10       deposition. I am going to be asking questions, you  
11       are going to be answering. Everything is going to be  
12       taken down by the stenographer and, eventually, a  
13       written transcript of our discussion today, the  
14       questions and the answers, are going to be produced.

15               My first question --

16               MR. HAILSTONE: Actually, more for  
17       Chris, is she going to sign, review and  
18       sign, or does she waive?

19               MR. SZEWCZYK: We will waive.

20       BY MR. HAILSTONE:

21               Q.        Just a couple of ground rules before we  
22       get started. My first question is have you ever been  
23       deposed before?

24               A.        I have not.

25               Q.        Okay. So, basically, this is the

1 process. I am going to ask questions; you are going  
2 to answer. I ask that you answer orally. We can't  
3 take down the nod of a head or shake of a head, so  
4 everything has to be -- do you understand that?

5 A. I do.

6 Q. There might be objections during the  
7 deposition. We will pause and let your attorney and  
8 I discuss them, but I am just warning you about that.

9 If I ask you anything that you don't  
10 understand or is in any way confusing, please, don't  
11 answer, ask me to rephrase it, and I can try and work  
12 with you on it. What we don't want you to do is we  
13 want you to answer as truthfully as you can to the  
14 question that I pose. So, if you have any problem  
15 with any of my questions, please, let me know.

16 Any time you have a problem and you  
17 want to stop, consult with your attorney, that's fine  
18 by me. The only thing I ask is that if there is a  
19 question that has been posed to you that you answer  
20 before we take a break. But if you have any issue  
21 about taking a break at any time, I have no problem  
22 with that. You understand?

23 A. I understand.

24 Q. Okay. Thank you. Not to get personal,  
25 but is there anything today, any medications or

1 anything that might have happened that you can't  
2 understand and answer questions?

3 A. No, I am fine.

4 Q. Okay. So, could you state your name  
5 for the record?

6 A. Maggie McNamara.

7 Q. Where do you live Ms. McNamara?

8 A. 5681 North Road, Friendsville,  
9 Pennsylvania.

10 Q. How long have you been there?

11 A. 11 years.

12 Q. What is your educational background?

13 A. I have an Associate's degree.

14 Q. From?

15 A. Broome Community College.

16 Q. Prior to that?

17 A. I went to Montrose Area High School.

18 Q. When did you graduate?

19 A. I finished in 1998.

20 Q. Prior to working for Susquehanna  
21 County, did you have any work experience?

22 A. I did.

23 Q. Where did you work, starting after you  
24 graduated from Broome County, if you would?

25 A. I worked for Lockheed Martin.

1 Q. Where are they located?

2 A. Owego, New York.

3 Q. Do you remember the dates off the top  
4 of your head?

5 A. I am sorry, I do not.

6 Q. Was that right before you started  
7 working for Susquehanna County?

8 A. It was not.

9 Q. So, you worked for someone between  
10 Lockheed Martin and Susquehanna County?

11 A. Yes, sir.

12 Q. Who was that?

13 A. Tioga County.

14 Q. Is that in New York?

15 A. Yes.

16 Q. What did you do for them?

17 A. Civil law clerk.

18 Q. Did you work for the sheriff's office?

19 A. I did.

20 Q. Okay. There came a time that you  
21 applied for a job at Susquehanna County, correct?

22 A. I did.

23 Q. Why did you do that?

24 A. Tioga County is in Owego, New York, I  
25 live in Susquehanna County. I was looking for a

1 position a little closer to home.

2 Q. Did you know anyone at Susquehanna  
3 County before you applied?

4 A. I knew a few people, no one very close.

5 Q. So, you knew of people that worked  
6 there?

7 A. Correct.

8 Q. So, no friends at that time?

9 A. No.

10 Q. When you first applied at Susquehanna  
11 County, did anyone interview you?

12 A. Yes.

13 Q. Who was that?

14 A. I was interviewed by Robert Stoud and  
15 Richard Ely.

16 Q. I am sorry, what was the position that  
17 you were applying for at that time?

18 A. Administrative Assistant to the Chief  
19 Clerk.

20 Q. And was Robert Stoud Chief Clerk at  
21 that time, if you can recall?

22 A. I believe he was the Chief Clerk or the  
23 acting Chief Clerk.

24 Q. Do you know when you were interviewed  
25 by Mr. Ely what his position was at the time?



1 A. Human Resources.

2 Q. You were eventually hired, correct?

3 A. I was.

4 Q. Is it safe to say that Mr. Stoud  
5 recommended your employment with Susquehanna County?  
6 Were you aware of that?

7 A. Mr. Stoud and Mr. Ely interviewed me  
8 and I was called by Mr. Ely sometime later with a job  
9 offer.

10 Q. Okay, that's fair. So, you never heard  
11 of any -- ultimately, you were hired by the  
12 Commissioners, correct?

13 A. Yes, sir.

14 Q. But you never heard who might have made  
15 a recommendation or anything like that?

16 A. I did not.

17 Q. Okay. When you first started working,  
18 you were hired as the Administrative Assistant to the  
19 Chief Clerk, correct?

20 A. Correct.

21 Q. What were your duties?

22 A. Administrative tasks for the Chief  
23 Clerk, phones, processing incoming mail; I mean,  
24 anything that I could do to assist the Chief Clerk.

25 Q. Did you do typing?

1           A.       I did typing, typed letters. I was  
2 responsible for the Commissioners' meeting for the  
3 agenda and to take the minutes during that meeting  
4 and, you know, all other duties as requested or asked  
5 by either the Chief Clerk or any of the County  
6 Commissioners.

7           Q.       Okay. Just take a step back. When you  
8 were first hired, who were the County Commissioners,  
9 if you recall?

10          A.       Alan Hall, Michael Giangrieco and Mary  
11 Ann Warren.

12          Q.       Now, you indicated that you would type  
13 letters for the Chief Clerk. Would he dictate the  
14 letters?

15          A.       No.

16          Q.       And, so, how would you go about  
17 creating the content?

18          A.       Sometimes I had documents to go off of,  
19 other times I was just asked to write a letter to  
20 this person, it needs to address topics A, B, and C.

21          Q.       Would Mr. Stoud also type some of his  
22 own work up?

23          A.       He typed almost all of his own work.

24          Q.       Okay, that's what I was getting at,  
25 thank you. Now, you said you also were in charge of

1 the Commissioners' meeting; what do you mean by that?

2 A. Collect the backup documentation to go  
3 with the motions that are put within the meeting, to  
4 type the agenda, send it out for review, make  
5 corrections to it. The day of the meeting, you know,  
6 make the copies, set up the room. I sat in the  
7 meeting room and took down the motions, like who made  
8 the motion, who seconded it, whether it was carried  
9 or not, and made sure that the supporting  
10 documentation was there.

11 Q. Would you attend all the Commissioners'  
12 meetings?

13 A. If I worked that day, I was there.

14 Q. Was that part of your duty, though?  
15 Was it something you did only because you were there  
16 or were you required to be there?

17 A. I was required to attend the meetings.

18 Q. Okay. Because you were taking the  
19 minutes, correct?

20 A. Yes, sir.

21 Q. What was your understanding of Mr.  
22 Stoud's duties?

23 A. He had the job description of Chief  
24 Clerk, which, basically, oversaw operations and  
25 procedures for the County.

1 Q. Would he attend the Commissioners'  
2 meetings, also?

3 A. He did not.

4 Q. Why was that, if you know?

5 A. I don't know.

6 Q. Okay, that's fine. I am sorry, I  
7 didn't -- if there is something you don't know, I  
8 don't know is a fine answer going forward. I don't  
9 want you guessing.

10 Now, there came a time when your job  
11 title changed, correct?

12 A. Correct.

13 Q. Do you consider that a promotion?

14 A. It was, yes.

15 Q. Okay. And what did you become?

16 A. The Deputy Chief Clerk.

17 Q. Okay. Do you remember when that was,  
18 if you can remember?

19 A. I don't remember the exact date.

20 Q. Okay. Do you know why you were  
21 promoted to Deputy Chief Clerk?

22 A. I believe I was promoted due to good  
23 work performance and I was doing the tasks of the  
24 Deputy Chief Clerk.

25 Q. So, let's explain that to me. So,

1 there was a position of Deputy Chief Clerk that was  
2 unfilled?

3 A. No, sir.

4 Q. Okay.

5 A. I believe at the time Richard Ely was  
6 the Director of Human Resources/Deputy Chief Clerk.  
7 I believe he was preoccupied with the  
8 responsibilities of Human Resources and I was doing  
9 the responsibilities of the Deputy Chief Clerk.

10 Q. What are those responsibilities, as you  
11 understood them?

12 A. Everything that the Chief Clerk is  
13 responsible for. I was also responsible for, in his  
14 absence or to do alongside of him, basically, another  
15 person in the office for seamless coverage and make  
16 sure that the County operated smoothly.

17 Q. When you were promoted to Deputy Chief  
18 Clerk, did your duties change? It certainly doesn't  
19 seem like they could give you any more work, so, did  
20 you basically continue to do with a new title?

21 A. I continued to do my work with a new  
22 title, obviously, a new set of responsibilities. One  
23 of the major things that changed was I had the  
24 ability to sign as the Chief Clerk in his absence, if  
25 needed.

1 Q. Did this promotion come with an  
2 increase in your salary?

3 A. It did.

4 Q. Do you remember off the top of your  
5 head how much?

6 A. I don't recall an accurate figure.

7 Q. Okay. As Deputy Chief Clerk, who did  
8 you report to?

9 A. Robert Stoud, the Chief Clerk.

10 Q. You make a claim in your Complaint  
11 about an incident involving Mr. Richard Ely. Could  
12 you explain to me what happened in December of 2015  
13 between yourself and Mr. Ely?

14 A. It was at the day of the holiday party  
15 at the County that was held during working hours. At  
16 the end of the day, I was sitting at my desk.  
17 Richard Ely came out of his office into sort of the  
18 center of the room. I sat with two other women. Was  
19 saying good-bys, they kind of were hugging and saying  
20 Merry Christmas. I chose not to get out of my desk.  
21 And he hugged a couple of the office ladies and it  
22 ended.

23 A little while later, I was leaving for  
24 the day. I was one of the last ones to leave, me and  
25 Richard Ely. My car was parked directly outside the

1 back door. I believe I was taking stuff, you know,  
2 had taken stuff out to my car. My last trip out, he  
3 was behind me.

4 I got in my car, went to send a text  
5 message, went to get my phone, and I heard a knock on  
6 my window. I looked over, it was Richard Ely. I  
7 rolled my window down about halfway just and he kind  
8 of tilted his face sideways, stuck his face in the  
9 window and made kissy lips at me and tried to kiss  
10 me, followed by you won't get this offer again. I  
11 quickly sat back in my seat, declined. He pulled  
12 back and I rolled my window up and tried to leave the  
13 parking lot as soon as I could.

14 Q. That was the only contact you had with  
15 him on that particular day?

16 A. Correct.

17 Q. I am just going to hand you what I will  
18 tell you is the Complaint filed on your behalf. Do  
19 you recognize it?

20 A. I do.

21 Q. Could you turn with me to -- there is  
22 no page number, so, I have to go by paragraph  
23 number -- Paragraph No. 20. I am going to read that.  
24 "In December of 2015, at her workplace, Plaintiff was  
25 approached by Director of Veterans' Affairs, Richard

1 Ely, who attempted to kiss and hug her."

2 Did I read that correctly?

3 A. You did.

4 Q. Then Paragraph 21, "The Plaintiff moved  
5 away from Ely's advances," correct?

6 A. Correct.

7 Q. And then Paragraph 22, "On that same  
8 day, at the end of the workday, Plaintiff was in her  
9 car preparing to go home for the evening," and I will  
10 present to you that the rest of the paragraphs  
11 involve the incident that you just described.

12 The Paragraph 20 incident, did Mr. Ely  
13 approach you while you were still in your office and  
14 attempt to hug and kiss you?

15 A. He came over to my desk and I said, no,  
16 I am good, but that was while he was hugging the two  
17 other office ladies. (Indicating).

18 Q. Okay, just for clarification, did he  
19 say anything to you while you were still in the  
20 office?

21 A. No, sir.

22 Q. How did he approach you?

23 A. He came out of his office. I believe  
24 the other ladies were kind of standing around because  
25 it was the end of the day. One of the women was over



1 there from Voter Registration, I believe, as well.  
2 They all said Merry Christmas and kind of hugged.  
3 Richard Ely came towards my desk, I said, no, I am  
4 good. (Indicating).

5 Q. So, you assumed that he was attempting  
6 to hug you?

7 A. He was hugging all of them and then he  
8 kind of came towards me and I says, no, I am good,  
9 and the ladies laughed. (Indicating).

10 Q. Now, after this incident in December,  
11 did you report it to anyone?

12 A. I did.

13 Q. Who was that?

14 A. Robert Stoud.

15 Q. When did you report it, if you recall?

16 A. The day it happened.

17 Q. How did you report it to him?

18 A. I called him when I left the parking  
19 lot.

20 Q. You called him on his cell phone?

21 A. Yes.

22 Q. That was after working hours, correct?

23 A. Yes.

24 Q. What did he tell you?

25 A. He said to go home, enjoy the holiday,

1 that he would take care of it and to not let it ruin  
2 my holiday.

3 Q. Did you talk to him at any time over  
4 the holiday about the incident?

5 A. I did.

6 Q. When was that?

7 A. Later that evening, Robert Stoud called  
8 to let me know that he had spoken to the County  
9 Commissioners to make them aware of what happened and  
10 that it was going to be addressed and again told me  
11 not to worry and to enjoy my holiday.

12 Q. After that second call back, did you  
13 talk to Mr. Stoud at all during the holiday weekend?

14 A. I did not.

15 Q. What happened when you came back in the  
16 next working day with regard to this incident?

17 A. I am sorry, I don't know exactly what  
18 day it was taken care of.

19 Q. Other than these two phone calls on the  
20 day of the incident, did you ever talk to Mr. Stoud  
21 again about the incident?

22 A. Yes.

23 Q. When was that, if you recall?

24 A. I don't recall the exact date. I did  
25 speak with him, he let me know that the Commissioners

1 had met and that the decision was to give him, I  
2 believe, a final warning.

3 Q. To give who?

4 A. Richard Ely a final warning and that  
5 was it.

6 Q. Did you ever prepare a written  
7 statement?

8 A. I did.

9 Q. Do you know where that written  
10 statement is?

11 A. I have a copy of it.

12 Q. Okay. I ask that you supply it to your  
13 attorney. I don't have it and I don't think it was  
14 in any of the County documents that I had.

15 Who asked you to prepare the written  
16 statement?

17 A. I prepared it myself just as an account  
18 of what had happened so that I would have an accurate  
19 recollection, if needed.

20 Q. Okay. Mr. Stoud never requested you to  
21 prepare a written statement?

22 A. He said it was a good idea that I have  
23 one after I had made it.

24 Q. Made the report?

25 A. Yes.

1 Q. Did you ever give a copy of the written  
2 statement to Mr. Stoud?

3 A. I believe so.

4 (At this time Defendant's  
5 Exhibit No. 1 was marked  
6 for identification.)

7 BY MR. HAILSTONE:

8 Q. I am going to show you what we are  
9 going to label as Defendant Exhibit 1. I will ask  
10 you have you seen this document before?

11 A. I have not.

12 Q. So, you have never reviewed this  
13 document?

14 A. No, sir.

15 Q. Okay. I will submit that it is the  
16 final writing warning. I think it's supposed to be  
17 written warning in the re at the top of the page. It  
18 is dated December 30, 2015, and it is a final written  
19 warning to Mr. Ely from Mr. Stoud.

20 Is that, basically, your understanding  
21 of what this is?

22 A. Yes, sir.

23 Q. I will ask that you read with me,  
24 please, the second to last paragraph, the first  
25 sentence. I will just read it into the record.

1 "Based upon the above events, please  
2 consider this letter to be a final written warning.  
3 Regardless of your motivation or intent, your conduct  
4 on December 23, 2015, was unprofessional and  
5 unacceptable and will not be tolerated at any level  
6 in the future."

7 I read that correctly? Did I read that  
8 correctly?

9 A. Yes, sir.

10 Q. What was your understanding of what  
11 happened to Mr. Ely after the incident? Did Mr.  
12 Stoud tell you what the County's decision was with  
13 regard to him?

14 A. He did.

15 Q. Okay. What did he tell you?

16 A. He was getting a formal warning, final  
17 warning and a letter in his file.

18 Q. Okay. What was your understanding of  
19 the final warning? What did that mean?

20 A. That it was the final warning and he  
21 wouldn't be given any additional, I guess, chances.

22 Q. Okay. Were you satisfied at that time  
23 with the County's reaction to the incident?

24 A. I was not.

25 Q. What would you have rather them do?

1 Why weren't you satisfied with the final written  
2 warning?

3 A. I think that maybe it deserved a little  
4 bit more. I don't know exactly what but something a  
5 little bit more.

6 Q. Did you ever approach Mr. Stoud with  
7 your concerns?

8 A. I did and his response was this is what  
9 the County Commissioners felt was an acceptable  
10 reprimand.

11 Q. And sitting here today, is there  
12 anything reflected on this that you think should have  
13 been done?

14 A. I am not sure I can answer that.

15 Q. Okay. No, that's fine. Are you  
16 familiar with the personnel handbook from Susquehanna  
17 County?

18 A. Yes, sir.

19 Q. So, do you understand the severity of a  
20 final written warning?

21 A. I do.

22 Q. Do you know of anything outside of  
23 firing the person above or more severe than a final  
24 written warning?

25 A. I don't.

1 Q. Now, looking at the letter, itself,  
2 focusing on the first paragraph -- and, again, I  
3 understand you have not seen this before and you  
4 didn't get to review it before Mr. Stoud completed it  
5 -- there is no mention in the first paragraph that  
6 Mr. Ely approached you and attempted to hug and kiss  
7 you, isn't that correct?

8 A. I am sorry, what did you say.

9 Q. The first paragraph deals with the --  
10 the first paragraph doesn't mention Mr. Ely  
11 approaching you inside the Susquehanna County  
12 building and attempting to hug and kiss you, isn't  
13 that correct?

14 A. That is correct.

15 Q. But you told Mr. Stoud that that  
16 happened?

17 A. I did.

18 Q. So, him not including it is a mistake?

19 A. I believe so.

20 Q. And the written document that you said  
21 you produced and gave to Mr. Stoud, did that include  
22 that incident?

23 A. I don't recall.

24 (At this time Defendant's

25 Exhibit No. 2 was marked

1 for identification.)

2 BY MR. HAILSTONE:

3 Q. I am going to give you a document that  
4 we will refer to as Defendant's Exhibit 2. And I  
5 will submit to you that it is an undated document and  
6 there only is a reference to Steve and it is signed  
7 by Rich Ely. Have you seen this before?

8 A. I have not.

9 Q. Okay. Take a second to review it.

10 A. Okay.

11 Q. Now that you have reviewed it -- and,  
12 again, I understand you have never seen it before and  
13 I will represent to you that the Steve at the  
14 beginning of the letter is -- well, actually, I have  
15 no idea who the Steve is. Who is the Steve? Do you  
16 know who he would write the letter to?

17 A. I believe Steve is referred to --  
18 Robert Stoud goes by Steve.

19 Q. Steve, correct. And it is signed by  
20 Richard Ely. And I will submit to you that Mr. Stoud  
21 asked Mr. Ely to prepare a written document of the  
22 incident after it was reported to him.

23 Does Mr. Ely's recitation of the facts,  
24 do you have any issue with what he writes here?

25 A. Well, the "Maggie, I was just trying to



1 wish you a Merry Christmas. That doesn't happen  
2 every day" or "I hope you and your family have a  
3 wonderful Christmas," I don't believe that those were  
4 said. I recall him saying you don't get this offer  
5 every day and then, obviously, I was uncomfortable  
6 and he pulled his head back.

7 And as far as my recollection, the  
8 conversation pretty much stopped at that point.

9 Q. Okay. But you would agree that he does  
10 admit that he attempted to kiss you, put his head in  
11 the car, correct?

12 A. Yes, sir.

13 Q. He doesn't make any mention of  
14 attempting to hug and kiss you while still in the  
15 building, correct?

16 A. Correct.

17 Q. You stated earlier that you did witness  
18 him hug Diane, Jeanne, and Sally, correct?

19 A. I did.

20 Q. And anyone else at that time, other  
21 than those listed, that you can recall?

22 A. I don't believe so.

23 Q. You agree with me that Mr. Ely got a  
24 final written warning but it was only for the  
25 incidents involving him leaning into your car,

1 correct?

2 A. Correct.

3 Q. And you mentioned that there was a  
4 document that you prepared and that you believe you  
5 gave to Mr. Stoud. And I am just going to have you  
6 look at a document that we will refer to as  
7 Defendant's Exhibit 3.

8 (At this time Defendant's  
9 Exhibit No. 3 was marked  
10 for identification.)

11 BY MR. HAILSTONE:

12 Q. Have you seen this document before?

13 A. I believe so.

14 Q. Okay. I will submit that it is filed  
15 on behalf of you by your attorneys and it's what they  
16 refer to as Rule 24 disclosures. And I would like to  
17 bring your attention to Paragraph 2, which lists a  
18 series of four documents in the possession, custody,  
19 and control of the Plaintiff.

20 You mentioned earlier that there is  
21 another document that you prepared regarding the  
22 incident that's not in this list, but are there any  
23 other documents that you are aware of that have  
24 anything to do with your case?

25 A. Not that I am aware of.

1 Q. Okay. And you reported the incident in  
2 December of 2015; do you recall when Commissioner  
3 Arnold took office?

4 A. The first business day into the next  
5 year.

6 Q. What year?

7 A. The following year.

8 Q. 2016?

9 A. So, 2016.

10 Q. Okay.

11 A. I don't recall the exact date.

12 Q. Had you had any contact with her prior  
13 to her becoming Commissioner?

14 A. Briefly.

15 Q. Could you describe that?

16 A. I knew who she was from working in the  
17 Chief Clerk's office, helping with election night. I  
18 knew she was running as a member of the community. I  
19 didn't have any like real personal contact with her  
20 but I knew who she was. She was a candidate running  
21 for County Commissioner in an office that I worked  
22 in, so, I tried to make myself aware of who she was.

23 Q. And do you know whether Mr. Giangrieco  
24 resigned or did he lose his position to Commissioner  
25 Arnold?

1           A.     He chose not to run for an additional  
2 term, so, his term ended. Arnold was the person  
3 elected to fill that vacancy.

4           Q.     So, she ran for a vacant spot?

5           A.     Yes, sir.

6           Q.     To your understanding?

7           A.     Yes.

8           Q.     Now, you allege in your Complaint that  
9 Commissioner Warren and Commissioner Arnold subjected  
10 you to unfair criticism. What was the criticism that  
11 you believed was unfair?

12          A.     It was the majority of the  
13 Commissioners' agenda and critiquing the grammar in  
14 it, the spelling. They made comments that it was  
15 sloppy work performance. It was highly critiqued and  
16 unjustly looked at.

17          Q.     When you say unjustly looked at, what  
18 do you mean by that?

19          A.     The errors that I had were minimum,  
20 comparatively speaking to the people who held my  
21 position prior. I was referring back to prior  
22 approved Commissioner meeting minutes, pulling  
23 verbatim motions that were approved by Commissioner  
24 Warren for such motions that were recurring motions  
25 that happened yearly, putting them into my current

1 agenda, and then they weren't correct.

2 Q. Other than the historic motions, was  
3 there any other issues with your agenda items or  
4 items that you presented?

5 A. Yes.

6 Q. What was that?

7 A. She critiqued all of them, down to  
8 minutes before the meeting was set to start.

9 Q. What do you mean by minutes -- you  
10 don't mean the written minutes, you mean prior to the  
11 meeting?

12 A. The agenda that goes into the meeting,  
13 meetings start at 9:00 o'clock, I was making changes  
14 to the agenda that goes out there -- attached to the  
15 agenda are the written minutes from the prior meeting  
16 to be approved, making changes up until minutes  
17 before the meeting.

18 Q. Now, this criticism from Commissioner  
19 Warren, who was Commissioner in 2015, correct?

20 A. Correct.

21 Q. How long was this going on?

22 A. She started critiquing my agendas as  
23 soon as Elizabeth Arnold took office.

24 Q. So, this happened in 2016?

25 A. Yes, sir.

1 Q. So, she never criticized anything you  
2 did prior to December of 2015?

3 A. She had constructive criticism or  
4 suggestions for wording on prior things that I had  
5 done, you know, very professionally given, you know,  
6 a word change here and add something there. It was  
7 absolutely not at the level that, unfortunately, it  
8 spiraled up to be.

9 Q. And as far as Commissioner Arnold, what  
10 were her unfair criticisms?

11 A. She felt the need to change an agenda  
12 or critique an agenda after Commissioner Warren would  
13 critique an agenda. And then, unfortunately,  
14 Commissioner Warren would not like the change that  
15 Commissioner Arnold made and would want it changed  
16 back. That left me in the middle making changes to  
17 one document that two people want separate changes to  
18 up until right before the meeting starts.

19 The agenda is given a few days in  
20 advance for changes and corrections with, you know, a  
21 guideline to send it back, to, you know, stop making  
22 corrections at a certain time so that way it is  
23 finalized and ready.

24 Q. What was that guideline?

25 A. It changed a few times. The best of my

1 ability that I can recall is I believe the agenda is  
2 out -- the first draft is out by noon the Friday  
3 before the meeting. So, that gives them the rest of  
4 Friday, Saturday, Sunday, Monday to make changes so  
5 that on Tuesday, I am just putting the documentation  
6 together, numbering it, all the documentation is  
7 together, making copies so we are ready to go by  
8 Wednesday morning.

9 Q. Who imposed that Friday agenda  
10 deadline?

11 A. It was an agreement that the Chief  
12 Clerk and the Commissioners came up with as what they  
13 would like to see as the guideline.

14 Q. When was that?

15 A. I don't know exactly the one that went  
16 into effect.

17 Q. But the Chief Clerk had nothing to do  
18 with the agenda, correct?

19 A. That is not correct. When the agenda  
20 came out from myself before Friday at noon, I would  
21 send it to the Chief Clerk and all three  
22 Commissioners to be reviewed.

23 Q. Would the Chief Clerk make changes?

24 A. Absolutely.

25 Q. Would Commissioner Hall make changes?

1 A. Yes, sir.

2 Q. And you admit that some of the issues  
3 were errors that you had made with the agendas?

4 A. On occasion, on a rough draft, I would  
5 have a grammatical error or a phrasing that they  
6 didn't like.

7 Q. You also allege in your Complaint that  
8 Commissioner Warren was over-critical of you. What  
9 do you mean by that?

10 A. I just couldn't make her happy. You  
11 know, as many times as I tried or different ways, you  
12 know, there was always an issue, always something  
13 that needed to be fixed. She made a comment that she  
14 stopped correcting my errors hoping that I would be  
15 humiliated in a public meeting.

16 Q. She made that comment to you?

17 A. I believe she made that comment -- I  
18 heard it from the Chief Clerk.

19 Q. So, she didn't say that to you?

20 A. No, I believe she said it in a meeting  
21 with the Chief Clerk and some other Commissioners.

22 Q. Now, Mr. Stoud repeated it to you?

23 A. Yes, sir.

24 Q. You also allege that Commissioner  
25 Warren publicly humiliated you. When did that



1     happen?

2             A.       During the Commissioners' meetings when  
3     she would either say that I made an error or this  
4     wasn't written right.

5             Q.       Was this every meeting?

6             A.       Just about.

7             Q.       What would she say?

8             A.       I don't exactly know what she said  
9     every time, I am sorry.

10            Q.       Who would have been a witness to these  
11    incidents?

12            A.       The other Commissioners and any member  
13    of the public who came. And, also, at one point we  
14    started taping the Commissioners' meetings and  
15    streaming them on YouTube.

16            Q.       But you don't know anyone, other than  
17    to name the Commissioners, you don't know anyone else  
18    who would have been a witness?

19            A.       Any member of the public who was in  
20    that meeting, you know. And the amount of -- the  
21    public individuals vary from meeting to meeting.

22            Q.       Did you ever speak to any of these  
23    members of the public regarding this issue?

24            A.       No, sir.

25            Q.       On the subject of witnesses, I am going

1 to turn your attention back to what is right in front  
2 of you, the Rule 26 disclosures. And I am going to  
3 ask you to turn to the very first page and there is a  
4 list of witnesses, potential witnesses that was  
5 provided by your attorney. I just want you to look  
6 at all of them and I have some questions.

7 A. Okay.

8 Q. Do you know of anyone not listed here  
9 that has relevant testimony regarding your claim  
10 against Susquehanna County?

11 A. I don't believe so.

12 Q. Okay. I am going to ask what  
13 testimony, what relevant testimony do you believe  
14 Jeanne Conklin has with regard to your claim against  
15 Susquehanna County?

16 A. Jeanne Conklin became the new Director  
17 of Human Resources. I believe she can tell you that  
18 Commissioner Warren and/or Commissioner Arnold had  
19 both been in her office indicating that Robert Stoud  
20 and myself need to be separated, alleged that there  
21 was possibly an affair going on between us, and then  
22 also came in and said I just want them fired.

23 Q. Okay. And did Ms. Conklin tell you  
24 this?

25 A. Ms. Conklin did not tell me this. She

1 did, in fact, go to Commissioner Alan Hall and Robert  
2 Stoud.

3 Q. And, so, you learned this information  
4 through whom?

5 A. Commissioner Hall and Robert Stoud.

6 Q. What did Commissioner Hall tell you?

7 A. I don't recall exactly word-for-word  
8 what he told me.

9 Q. But what you just testified to, the  
10 incidents when Commissioners Warren and Arnold sought  
11 to have you fired, claimed that you were having an  
12 affair and that you needed to be broken up, did that  
13 information come from Commissioner Hall?

14 A. Yes, but I believe Robert Stoud told me  
15 first.

16 Q. Okay. So, the information regarding a  
17 claim of an affair, the demand that you and Mr. Stoud  
18 be broken up and that you should be fired, you heard  
19 that from Mr. Stoud, correct?

20 A. Yes, sir.

21 Q. And he indicated that he heard it from  
22 Commissioner Hall, correct?

23 A. He heard it from Jeanne Conklin.

24 Q. Oh, Mr. Stoud heard this from Ms.  
25 Conklin?

1           A.       I believe Ms. Conklin told Mr. Hall and  
2 Mr. Stoud. I don't know whether it was together or  
3 separate.

4           Q.       Okay. When you spoke to Commissioner  
5 Hall, you don't recall what he told you regarding  
6 these incidents?

7           A.       Commissioner Hall told me that Mary Ann  
8 was unhappy and Betsy was unhappy. They wanted Mr.  
9 Stoud and myself split, thought that there was too  
10 much of us -- time of us being together. Didn't  
11 understand why we spent so much time together, even  
12 though they were assured that it was for County  
13 business. And I believe Elizabeth Arnold made the  
14 comment that she needs to split us up to save his  
15 marriage, because there either was or there was going  
16 to be something that happened between us.

17          Q.       Do you remember when Commissioner Hall  
18 told you this?

19          A.       Late May, early June.

20          Q.       Of 2016?

21          A.       Yes, sir.

22          Q.       Do you need to take a break? I see you  
23 looking at your attorney. That's okay. There is no  
24 question on the table.

25                   MR. SZEWCZYK: If there is no

1 question, we can take a break, if you  
2 want.

3 MR. HAILSTONE: Do you want to  
4 take a break?

5 MR. SZEWCZYK: It is up to you.

6 THE WITNESS: I am okay, I think.

7 MR. HAILSTONE: Okay. I just ask  
8 that you don't look to your attorney for  
9 answers.

10 THE WITNESS: Oh, sorry.

11 MR. HAILSTONE: That's okay.

12 BY MR. HAILSTONE:

13 Q. So, you spoke to Commissioner Hall  
14 sometime in May or June of 2016 and he told you these  
15 things, correct?

16 A. Yes.

17 Q. But prior to that, you had also heard  
18 this from Mr. Stoud; is that your testimony?

19 A. Yes.

20 Q. As far as Lana Adams, what relevant  
21 testimony do you believe that she can provide? First  
22 of all, who is Lana Adams?

23 A. She was the County Chief Clerk sometime  
24 after Steve left being the Chief Clerk.

25 Q. Steve Stoud, correct?

1 A. Steve Stoud, sorry.

2 Q. That's okay. What relevant evidence  
3 does she have or relevant testimony?

4 A. I don't know.

5 Q. Okay. That's fine. Sometimes  
6 attorneys add names just to be on the safe side and  
7 that's why I am going through it because I didn't  
8 know what she would have.

9 And, finally, Stephen Janoski, who is  
10 that?

11 A. Stephen Janoski works in the County IT  
12 department.

13 Q. What relevant testimony do you believe  
14 Mr. Janoski would have regarding any of your claims?

15 A. I know that after I left the County  
16 Commissioners' office and transferred to a different  
17 department, some months later the Commissioners put  
18 in a request to pull all of my E-mails between myself  
19 and Robert Stoud. I would assume that Stephen  
20 Janoski was the person who would have gathered those  
21 E-mails.

22 Q. Okay. Explain this to me. What  
23 happened? What E-mails are you referring to?

24 A. Some time a few months after I was in  
25 the District Attorney's office -- and I only heard

1 this through Mr. Stoud -- I was informed that  
2 Commissioner Warren and Commissioner Arnold asked the  
3 IT department to pull all E-mail exchanges between  
4 myself and Robert Stoud. And this was months after I  
5 left that position. I was never informed that they  
6 were pulling my E-mails or anything like that, but  
7 that would be the reason that I would think that he  
8 might be on the list.

9 Q. Now, your E-mails, are you talking  
10 about your County work E-mails?

11 A. Yes, sir.

12 Q. But this wasn't any personal E-mails?

13 A. No, no, just County. I don't know,  
14 like County E-mail address to County E-mail.

15 Q. You didn't have a problem with them  
16 looking at your E-mails, correct?

17 A. There is nothing non-work-related or  
18 nothing bad in those E-mails.

19 Q. But, also --

20 A. I just didn't know that it was  
21 happening. No one told me ahead of time -- actually,  
22 nobody, except for Steve, letting me know. I was  
23 never informed by the IT department or the  
24 Commissioners that they had pulled my E-mails.

25 Q. Do you think they would have to inform

1     you?

2             A.     I don't know.

3             Q.     Okay. Other than being a little  
4     annoyed, you don't know if they did anything wrong;  
5     is that what you are saying?

6             A.     Correct.

7             Q.     Now, you allege in your Complaint that  
8     you spoke to Commissioner Hall about the criticisms  
9     of Commissioners Warren and Arnold. Do you recall  
10    when you talked to him about that?

11            A.     I don't. Commissioner Hall and myself  
12    had many conversations.

13            Q.     Conversations specifically about  
14    Commissioners Warren and Arnold?

15            A.     Yes, sir.

16            Q.     And what was the tone of these  
17    conversations?

18            A.     In the beginning, it was just how do we  
19    make it stop, how do we fix this to make them happy.  
20    By the end of our conversations, Commissioner Hall  
21    was talking to me telling me -- agreeing with me that  
22    there was a position open in the District Attorney's  
23    office and that I should strongly consider applying  
24    for it. Because they were going to fire me and at  
25    some time he would not be there to put a ruling in,



1 and if the two of them voted, there wasn't anything  
2 he could do about it.

3 Q. So, it was Commissioner Hall that  
4 suggested you transfer to the District Attorney's  
5 office?

6 A. He felt that it was a good idea that I  
7 apply for it.

8 Q. And Commissioner Hall indicated that it  
9 was his understanding that Commissioner Warren and  
10 Commissioner Arnold were going to fire you?

11 A. Yes.

12 Q. And why did he tell you that?

13 A. Prior to that, there was a meeting or  
14 multiple meetings between the Commissioners and the  
15 Chief Clerk. I was not an attendee at any of those  
16 meetings. I know that they wanted me fired at that  
17 point.

18 Q. Do you know what time frame this was?

19 A. It had to have been early June.

20 Q. Of 2016?

21 A. 2016. I am sorry, I keep leaving the  
22 year out.

23 Q. That's okay.

24 A. It goes back and forth with just, it  
25 seems, meeting after meeting of them talking. Now, I

1 am not invited to any of these meetings, I only hear  
2 the secondhand either from Commissioner Hall or Steve  
3 Stoud. And at one point, because Steve would not do  
4 what they requested, the response was, well, if you  
5 are not going to do this, we are going to fire her.  
6 I am not in the room and I am not a party to that  
7 action.

8 Q. And Steve told you that?

9 A. And Steve told me that.

10 Q. Do you know what they wanted him to do?

11 A. I don't know a hundred percent, I am  
12 sorry.

13 Q. Did it have anything to do with his  
14 work, if you recall?

15 A. I don't know exactly what. I just know  
16 that after the meeting, the tone was if he didn't do,  
17 A, then it was to fire me.

18 Q. Did he do whatever it was he was being  
19 demanded?

20 A. I don't know.

21 Q. So, it could have been he was supposed  
22 to help you with your work, but you have no idea?

23 A. I don't exactly know. I know at the  
24 end, I had to have a counseling session with him  
25 about possible, I think, laughter in the office.

1 Q. Okay. You also allege that  
2 Commissioners Warren and Arnold complained about your  
3 interaction with other employees. How did you learn  
4 this?

5 A. I learned that through Chief Clerk  
6 Stoud after one of the meetings that he attended that  
7 I was not a party to and then when I responded back  
8 to him who are the employees, he said he did not  
9 know, because when he asked, I believe Commissioner  
10 Arnold said I don't have to give you the names.

11 Q. Okay. So, in sitting here today, you  
12 have no idea what that allegation was?

13 A. For those employees, I do not.

14 Q. And no one ever approached you to say  
15 there was an issue with your interaction?

16 A. One employee's name surfaced. Her name  
17 was Mary Noldy. And when Robert Stoud, as my  
18 supervisor, reached out to Mary, she said that that  
19 was a non-issue and that she never had an issue.

20 Q. Did you ever talk to Ms. Noldy about  
21 this issue?

22 A. No.

23 Q. Is it your understanding that Mr. Stoud  
24 talked to her about this issue?

25 A. Yes, sir.

1 Q. You have alleged that you were assigned  
2 to work with Mr. Ely. Could you explain that to me?

3 A. What part?

4 Q. After the December 2015 incident, you  
5 allege that you were assigned to work with Mr. Ely?

6 A. How?

7 Q. What were you doing? When was this?

8 A. I am sorry, I don't remember the exact  
9 date.

10 Q. Okay.

11 A. At some point Richard is no longer the  
12 Director of Human Resources, he becomes the Director  
13 of Veterans' Affairs. Either right before that  
14 happens or right after that happens, the woman who  
15 worked in the Veterans' Affairs office quits.

16 The next day, there is no one in  
17 Veterans' Affairs. The Commissioners assigned me  
18 over to Veterans' Affairs to just assess the  
19 situation, you know, trying to make phone calls, call  
20 the state, figure out where claims are. I am not  
21 familiar with Veterans' Affairs but, you know, trying  
22 to see what I can do.

23 At some point -- Rich is now the  
24 Director of Veterans' Affairs. So, now, I am trying  
25 to learn the office. I am trying to teach him the

1 office or give him whatever information I have  
2 managed to secure and pass it on to him. And that  
3 happens for a couple of weeks, you know.

4 Q. So, you started working at Veterans'  
5 Affairs before Mr. Ely became the director?

6 A. I believe he was the director, but he  
7 was still in his Director of Human Resources office  
8 across the street. I believe he was trying to help  
9 do stuff over there and sort of transition. But we  
10 are going into an office that the prior director had  
11 been let go and then within a very short amount of  
12 time, the other woman had -- was there one day and  
13 quit and did not come in the next day. So, just  
14 trying to figure out with work in progress where  
15 everybody is.

16 Q. Was that Ms. Minarski who left, if you  
17 can recall? If you can't, that's okay. You said the  
18 Commissioners assigned you to Veterans' Affairs,  
19 correct?

20 A. Um-hum, yes.

21 Q. You still had your duties of Deputy  
22 Chief Clerk?

23 A. Yes, sir.

24 Q. Now, did Commissioner Hall ever ask you  
25 if this was going to be a problem?

1 A. I don't recall.

2 Q. And Commissioner Warren also asked you  
3 whether this was going to be a problem?

4 A. Commissioner Warren just sent me over.

5 Q. What do you mean by that?

6 A. She came in the next day, the office  
7 was empty, you know, and said can you go over and see  
8 what is going on.

9 Q. So, she asked you to go?

10 A. It was a directive.

11 Q. Do you recall what she said?

12 A. Not exactly.

13 Q. So, when you said she said can you go,  
14 that was a mistake on your part?

15 A. Yes.

16 Q. And she never asked you if this was  
17 going to be a problem?

18 A. No, sir.

19 Q. And as regard to Commissioner Hall, he  
20 never asked you whether this was going to be a  
21 problem, either?

22 A. Once he was aware of it, I don't  
23 believe that he was very happy with it. But I was  
24 trying to do the very best I could to help the  
25 veterans of our community by returning phone calls

1 and trying to secure things for them. Because while  
2 no one is in the office, claims aren't being filed  
3 and they are not getting monetary checks coming to  
4 them. Funerals aren't paid for.

5 Q. Why was Commissioner Hall not happy  
6 about this?

7 A. Because it directly put me back working  
8 in a very small office with Richard Ely, who I had  
9 already had an incident with very shortly beforehand  
10 and I was still uncomfortable with him.

11 Q. Did you tell the Commissioners you were  
12 uncomfortable?

13 A. I reported it to my supervisor that I  
14 was uncomfortable.

15 Q. Who was that?

16 A. Robert Stoud.

17 Q. Do you know if he ever reported it to  
18 the Commissioners?

19 A. He did.

20 Q. Then what happened?

21 A. I was told I still needed to stay over  
22 there.

23 Q. And how long were you in the same  
24 office with Richard Ely?

25 A. Only a couple of weeks.

1 Q. Well, you mentioned there was a  
2 transition period that he wasn't actually in the  
3 office, so, how long were you in the Veterans'  
4 Affairs office the entire time?

5 A. I never spent an entire day there  
6 because I still had a desk across the street and I  
7 still had other responsibilities. Some days I would  
8 spend a large majority of my day over in the  
9 Veterans' Affairs office physically being there,  
10 other times, I believe until we had it figured out, I  
11 think we had the phones transferred to roll over to  
12 my desk across the street so that I could try to  
13 field phone calls from over there. Because I still  
14 had responsibilities on the other side of the street  
15 to attend to. Rich was doing much of the same thing,  
16 you know, I would either talk to him while I was on  
17 the courthouse side or while we were on the County  
18 office side, which the offices are across the street  
19 from each other.

20 Q. Now, you allege that you reported your  
21 concerns to the Commissioners in the Complaint, but  
22 here today, you are telling me that, actually, you  
23 reported it to Mr. Stoud, correct?

24 A. I reported it to Mr. Stoud.  
25 Commissioner Hall would come and speak to me, I would



1 convey the same concerns to him. My initial report  
2 has always been to my direct supervisor. You know,  
3 if a Commissioner came to ask me, specifically,  
4 Commissioner Hall, I would tell him the same thing.

5 Q. And did you ever report it to any of  
6 the other Commissioners?

7 A. That I was uncomfortable with Mr. Ely?

8 Q. Correct.

9 A. I did not, I don't believe.

10 Q. You also allege that Mr. Ely was  
11 yelling and getting angry at you, correct?

12 A. On occasion, he did have a temper and  
13 would yell and get angry.

14 Q. Did you report that to Mr. Stoud?

15 A. Yes.

16 Q. And what happened?

17 A. Nothing.

18 Q. Now, in the Complaint, which I am going  
19 to bring you back to, I would ask you to look at  
20 Paragraph 37. It states, "In 2015, the harassment  
21 and criticism from the Defendant Commissioners  
22 continued." I am assuming that's supposed to be May  
23 of 2016?

24 A. Yes, sir.

25 Q. I wanted to make sure we were -- that

1 was correct. What do you mean by in May of 2015 it  
2 continued? Had something happened prior to May?

3 A. Could we take a break for a second?

4 Q. Sure. But I am only going to caution  
5 you, I understand you didn't write this and I really  
6 just am a little confused about why the May is there  
7 and if there is something that happened. That's  
8 really what I am looking for, if you could answer  
9 that before you break. It might just be the way it  
10 was prepared and that's fine, too.

11 MR. SZEWCZYK: Could she read  
12 maybe the preceding paragraphs and maybe  
13 that will put it in perspective of what  
14 you are asking, because the context  
15 would help.

16 BY MR. HAILSTONE:

17 Q. Yes.

18 A. I don't know exactly when everything  
19 happens. I just know that I make the complaint about  
20 Richard Ely and then afterwards, everything just goes  
21 to such a heightened level of criticism and then I  
22 have to go to Veterans' Affairs, you know, and I am  
23 trying to help there and come back. In the meantime,  
24 I am still trying to do the agenda and there is  
25 criticism and complaint. And I am pulling old

1 motions and verbatim of what has been done prior that  
2 has been A-okay and now all of a sudden it is a  
3 hundred percent wrong and the same motion that you  
4 have approved for the last five years. And I am  
5 trying to figure out why all of a sudden it is wrong,  
6 how I can fix this.

7           You know, there is -- they are making  
8 complaints that I am being unprofessional to County  
9 employees or department heads. I have never had a  
10 complaint of being unprofessional or not courteous.  
11 I have always gone out of my way to help whoever is  
12 needed.

13           By May of 2016, it just keeps  
14 happening, and I think that's why it is written in  
15 there. And at this point I am talking to Robert  
16 Stoud, I am talking to Commissioner Hall just about  
17 every single day of what is happening next. The  
18 instances are starting to kind of just go day-to-day  
19 and it's just been getting really hard and just very  
20 stressful.

21           At some point here, I guess that's  
22 where it is alleged that I -- you know, I am going to  
23 ruin his marriage, that I am either having an affair  
24 or I am going to have an affair.

25           Q.       With Mr. Stoud?

1           A.       With Mr. Stoud, who has been nothing  
2       but a fantastic mentor to me, someone who is a  
3       decorated State Trooper, who was willing to share all  
4       of the knowledge that he had as far as management  
5       skills, how to talk to employees, and was passing  
6       that information on to me so that I could succeed  
7       within the County. So, it just keeps happening.

8                   And then there is meetings that I am  
9       not a party to that when the meetings are done, they  
10      are asking that I be fired or they have gone in to  
11      see the current director of H. R. asking for me to be  
12      terminated. I don't really have a way to defend  
13      myself. And that's pretty much what is happening in  
14      May of 2016 right into June.

15                   MR. SZEWCZYK: Do you still want  
16      to take that break or are you good?

17                   THE WITNESS: Just a break for a  
18      minute.

19                   (At this time there was a brief  
20      recess taken.)

21                   MR. HAILSTONE: Back on the  
22      record.

23      BY MR. HAILSTONE:

24                   Q.       Ms. McNamara, you allege in your  
25      Complaint that Mr. Stoud spoke to Commissioner Hall

1 and County Solicitor Giangrieco about the complaints  
2 you had made about Commissioners Warren and Arnold;  
3 how do you know that he spoke to them?

4 A. He told me he spoke to them.

5 Q. Okay. Did he tell you -- we have  
6 talked extensively about Commissioner Hall but did he  
7 tell you anything that County Solicitor Giangrieco  
8 told him in response?

9 A. Solicitor Giangrieco was of the opinion  
10 that Commissioner Warren and Commissioner Arnold were  
11 singling me out and that the treatment needed to  
12 stop. I believe he met with the Commissioners and  
13 told them to make it stop, knock it off, what are you  
14 doing. It did not help.

15 Q. Let's take a step back. Two questions  
16 from your response.

17 Did you talk to former Solicitor  
18 Giangrieco at any time regarding these incidents?

19 A. I don't believe we had a conversation  
20 directed on just these.

21 Q. Okay.

22 A. I mean, I worked with him as the  
23 Commissioner and then I worked closely with him as  
24 our County Solicitor as, you know, day-to-day  
25 business operations.

1 Q. So, when you say that Solicitor  
2 Giangrieco had an opinion, how did you surmise that?  
3 How did you get that information?

4 A. I was told from Robert Stoud that they  
5 had a meeting, they met. The Solicitor was going to,  
6 you know, meet with the Commissioners, you know, tell  
7 them to stop.

8 Q. Do you know if that meeting ever  
9 happened?

10 A. I don't believe it was a formal  
11 meeting. The Solicitor sort of stops in every  
12 morning to see if there is anything brewing at the  
13 County, is anything is new, and I think during those  
14 times is when he would come through and had  
15 conversations of stop. I don't recall that it was an  
16 actual scheduled meeting.

17 Q. And you only heard about it secondhand  
18 through Mr. Stoud?

19 A. Through Mr. Stoud or because I was in  
20 the office. You know, on occasions, the  
21 Commissioners were in the Commissioners' meeting room  
22 with the Solicitor and the door closed.

23 Q. But you didn't know what they were  
24 discussing?

25 A. I don't know always know what they were

1 discussing, no.

2 Q. Do you know if Mr. Stoud has some kind  
3 of a family relationship with Mr. Giangrieco?

4 A. Not that I am aware of.

5 Q. Okay.

6 A. Like are they related?

7 Q. Correct, through marriage or anything  
8 like that. You don't know?

9 A. I don't know, I am sorry.

10 MR. SZEWCZYK: If you don't know,  
11 you don't know.

12 BY MR. HAILSTONE:

13 Q. I am trying to confirm something,  
14 that's all.

15 You also indicate after Mr. Stoud spoke  
16 to Commissioner Hall and then the County Solicitor  
17 that no remedial action was taken. What do you mean  
18 by that?

19 A. Just that they didn't stop.

20 Q. Did you seek some kind of remedial  
21 action?

22 A. I don't understand the question, I am  
23 sorry.

24 Q. On Paragraph 39 of your Complaint --  
25 and, again, you didn't write it, I understand it was

1 written by your counsel -- it just says no remedial  
2 action was taken. I was just curious as to whether  
3 you had requested something specific that didn't  
4 happen.

5 A. I mean, I am sure that I requested to  
6 not have my agendas torn apart or what can I do  
7 better or what is the issue. I am sure that I  
8 asked -- you know, the Commissioners' meeting is held  
9 twice a month. Starting the week beforehand is when  
10 the agenda starts. So, it is a good majority of the  
11 month is just prep, do the meeting, clean up from the  
12 meeting, and there is always a critique.

13 And then there is things going on in  
14 the meantime in trying to get information and, you  
15 know, complaints of why don't I know this  
16 information. You know, some of it is beyond my  
17 control.

18 (At this time Defendant's  
19 Exhibit No. 4 was marked  
20 for identification.)

21 BY MR. HAILSTONE:

22 Q. I am going to give you Defendant's  
23 Exhibit 4. Have you seen this document before?

24 A. I have seen it before.

25 Q. You prepared this document, correct?



1 A. I did.

2 Q. It is your resignation letter, correct?

3 A. Yes.

4 Q. It is dated June 21st, 2016, correct?

5 A. It is.

6 Q. And who did you supply this to?

7 A. I don't remember exactly who I gave it  
8 to. Human Resources would have needed it.

9 Q. And it states that you intend to resign  
10 from your position as Deputy Chief Clerk and upon  
11 approval, transfer to the District Attorney's office  
12 as the Victim Witness Coordinator, isn't that  
13 correct?

14 A. Correct.

15 Q. You didn't mention in your letter any  
16 of the issues you were having with the Commissioners  
17 Arnold and Warren, correct?

18 A. I did not.

19 Q. On June 21st and thereafter of 2016,  
20 Mr. Stoud was also in the District Attorney's office,  
21 correct?

22 A. I don't know exactly when he was in the  
23 District Attorney's office. I believe that he is a  
24 member of the task force, which is overseen by the  
25 District Attorney, but I think he was a member of

1 that since maybe he has been a County employee, you  
2 know, so.

3 Q. Did there come a time that he became  
4 Chief Detective of Susquehanna County?

5 A. There was, yes.

6 Q. Do you recall when that was?

7 A. I don't recall the exact date. It was  
8 quite a few months after I was in the District  
9 Attorney's office.

10 Q. But Mr. Stoud resigned before you did  
11 from the position of Chief Clerk, correct?

12 A. I don't believe so. I am sorry.

13 MR. SZEWCZYK: You can only  
14 testify to what you recall.

15 (At this time Defendant's  
16 Exhibit No. 5 was marked  
17 for identification.)

18 BY MR. HAILSTONE:

19 Q. Just for your recollection, I am going  
20 to give you what we will mark as Defendant's  
21 Exhibit 5. Have you seen this document before?

22 A. I have not.

23 Q. Okay. I will represent to you that it  
24 is Mr. Stoud's resignation letter dated June 14,  
25 2016. Were you aware that he had resigned before you

1 did?

2 A. No. I believe he turned this in, but  
3 it does say as soon as practical; so, I believe they  
4 would have had to have put an ad out, advertised and  
5 hired somebody before he could leave; where I was  
6 able to just transfer and go. So, I am sorry, I  
7 never seen this before.

8 Q. He never told you that he resigned?

9 A. We had some conversations about him  
10 possibly just going back over to be the Director of  
11 Public Safety. I guess I didn't know the exact  
12 timeline.

13 Q. Okay. You mention in your Complaint  
14 that you suffered a loss of pay as a result of the  
15 transfer. How much was that?

16 A. I don't have an exact dollar figure  
17 with me.

18 Q. Do you recall how much you were making  
19 as Deputy Chief Clerk?

20 A. I don't, I am sorry. It has been  
21 awhile.

22 Q. You don't recall how much you made when  
23 you became the Victim Witness Coordinator?

24 A. I went from a salaried position with a  
25 set salary and a nonunion position to an hourly

1 position that became a union position; so, I don't  
2 have the documentation with me to show what the  
3 breakdown was between leaving a salaried position and  
4 going to an hourly union versus nonunion.

5 Q. At least for today, do you recall  
6 whether it was a significant loss of income?

7 A. Any loss of income to me would have  
8 been significant.

9 Q. That's fine. Were you able to still  
10 pay your bills?

11 A. We did.

12 Q. It was significant but you don't recall  
13 exactly how severe it was?

14 A. I am sorry, I don't.

15 Q. When you became an hourly worker, were  
16 you eligible for overtime?

17 A. If the position required it, I was.

18 Q. Did you ever have overtime?

19 A. I did.

20 Q. You also mentioned that you went from a  
21 nonunion to a union position, correct?

22 A. Correct.

23 Q. After you became the Witness Victim  
24 Coordinator, did you have any more contact with the  
25 Commissioners?

1 A. I did.

2 Q. In what capacity?

3 A. They are still the head elected  
4 officials to the courthouse. I worked for a  
5 different elected official, the District Attorney,  
6 Robert Klein. You know, they still work together.

7 After I took my position, Commissioners  
8 Warren and Arnold went to District Attorney Robert  
9 Klein and asked him not to hire me or to get rid of  
10 me, and I believe he asked them to leave his office.

11 Q. Okay. Who told you this?

12 A. Robert Klein told me this after the  
13 fact and I also heard it from Robert Stoud, as well.

14 Q. What exactly did Mr. Klein tell you, if  
15 you can recall?

16 A. DA Klein just kept reassuring me not to  
17 worry about it, that I was a great employee and that  
18 I was working for him and that they had come up to  
19 tell him either to get rid of me or to not hire me  
20 and he said that he wouldn't have it in his office  
21 and asked them to leave.

22 Q. Now, this was after they approved your  
23 transfer?

24 A. Yes.

25 Q. And Mr. Stoud also told you this?

1 A. Yes.

2 Q. How did he know about this?

3 A. Through DA Klein.

4 (At this time Defendant's  
5 Exhibit No. 6 was marked  
6 for identification.)

7 BY MR. HAILSTONE:

8 Q. I am going to give you what we will  
9 refer to as Defendant's Exhibit 6. Review this  
10 document, if you would.

11 A. I have seen this.

12 Q. And what is it, in your understanding?

13 A. It was a counseling session that I had  
14 with the Deputy -- or the Chief Clerk, as I was the  
15 Deputy Chief Clerk.

16 Q. So, that would be Robert Stoud,  
17 correct?

18 A. Yes.

19 Q. What were the circumstances of that  
20 counseling session?

21 A. I am sorry?

22 Q. What were the circumstances? What led  
23 to this counseling session? What were you told?

24 A. This counseling session with me  
25 resulted in multiple conversations between the Chief

1 Clerk and the three Commissioners. And I believe the  
2 Chief County Solicitor was in on some of those  
3 meetings, as well. I was counselled by Robert Stoud.

4 Q. We are to assume it happened sometime  
5 around June 10, 2016?

6 A. Yes.

7 Q. And you signed this document, correct?

8 A. I did.

9 Q. From my own curiosity -- did you  
10 prepare this document?

11 A. I did not.

12 Q. Then maybe you don't know why Mr. Stoud  
13 decided to put (sic) after each of the headings?

14 A. He put (sic) to say that it was a  
15 direct quote from the back page, I am assuming.

16 Q. Oh, okay. There is numbered paragraphs  
17 starting with Lack of Communication and ending  
18 Paragraph 5, Deputy Chief Clerk Has No Respect For  
19 Department Heads.

20 Were these the subjects of conversation  
21 that you had with Mr. Stoud?

22 A. We did go over this document, yes.

23 Q. And you gave him your reaction to this,  
24 to those issues?

25 A. Yes. I believe this counseling session

1 was held with me as a directive that if he did not  
2 have a counseling session with me, they were, A,  
3 either going to fire him or, B, going to fire me.

4 Q. And when you say "they", that's the  
5 County Commissioners?

6 A. The County Commissioners.

7 (At this time Defendant's  
8 Exhibit No. 7 was marked  
9 for identification.)

10 BY MR. HAILSTONE:

11 Q. I show you what we are going to refer  
12 to as Defendant's Exhibit 7, if you could review that  
13 for a moment.

14 A. Okay.

15 Q. I will ask you have you ever seen this  
16 document before?

17 A. I have.

18 Q. In fact, on the last paragraph, it  
19 states that you reviewed it and verified the  
20 accuracy, correct?

21 A. Yes, sir.

22 Q. Now, it says that on June 14, 2016, you  
23 verified it? Just directing your attention to the  
24 final paragraph, do you see where I am?

25 A. I do.



1           Q.       But the letter is actually dated  
2       June 13th, correct?

3           A.       Yes, sir.

4           Q.       Do you know why there is that  
5       discrepancy? Is it just a mistake?

6           A.       I don't know why.

7           Q.       But you have no reason to doubt the  
8       fact that on June 14, 2016, you checked the content  
9       of the letter?

10          A.       I don't have any doubt.

11          Q.       And you chose not to provide a letter,  
12       according to Mr. Stoud, correct?

13          A.       That is correct.

14          Q.       In Paragraph 2 of the June 13th letter  
15       it states that -- and I am starting on the second  
16       paragraph -- "She stated," referring to you, "that  
17       she felt that the issue seemed to go unnoticed and  
18       unaddressed, except for her discussion with myself,"  
19       referring to the Rich Ely incident, correct?

20          A.       Correct.

21          Q.       It is your understanding, though, that  
22       Mr. Stoud was tasked with having to discipline Mr.  
23       Ely, correct?

24          A.       Either Mr. Stoud disciplined him or the  
25       County Commissioners, themselves. I believe Mr. Ely

1 is a direct report to the County Commissioners.

2 Q. Did you ever express your complaints  
3 regarding Mr. Ely's treatment to Mr. Stoud?

4 A. I am sorry, what did you say?

5 Q. This indicates that you believe that  
6 the incident went unnoticed and unaddressed. You  
7 testified earlier that Mr. Stoud gave him a final  
8 written warning, correct?

9 A. He did.

10 Q. Did you ever tell Mr. Stoud that you  
11 thought that wasn't enough?

12 A. I believe I voiced that it wasn't  
13 enough. I don't know that I came out and said that.  
14 I was just disappointed.

15 Q. And we talked earlier -- and I am not  
16 going to get back into it about what you think should  
17 have been done, but did Mr. Stoud ever tell you what  
18 he thought should have been done?

19 A. No, sir.

20 Q. Now, you are no longer with Susquehanna  
21 County, correct?

22 A. No, sir, I am not.

23 Q. When did you leave?

24 A. March 28th of 2018 was my last day with  
25 Susquehanna County.

1 Q. Where do you currently work?

2 A. Security Mutual Life.

3 Q. What do you do there?

4 A. I am an Executive Administrator.

5 Q. What are your duties -- is it an  
6 insurance company?

7 A. It is. They do life insurance.

8 Q. Why did you leave the County?

9 A. With the passing of District Attorney  
10 Klein, the office entered into some litigation issues  
11 over who was going to be the District Attorney; so,  
12 being unsure of the position, I put my resume  
13 together and branched out for other opportunities.  
14 And this one came along, it was a good opportunity  
15 for myself and my family, so, I took that  
16 opportunity.

17 Q. Now, did you take any position outside  
18 of the County before Security Mutual Life Insurance?

19 A. Yes.

20 Q. What was that?

21 A. I originally left Susquehanna County to  
22 go to Family Design Resource.

23 Q. What is that?

24 A. I don't know how to explain it. They  
25 take care of dependency hearings for Children &

1 Youth.

2 Q. When did you leave Susquehanna County  
3 to work for them?

4 A. I left Susquehanna County on  
5 March 28th.

6 Q. Okay.

7 A. I don't know in my resignation, I am  
8 not sure that I said where I was going. That was  
9 before Easter. The following -- sometime later that  
10 week I was supposed to start my new position. In the  
11 meantime, Security Mutual called to offer me a better  
12 position. So, I reached out to Family Design and  
13 told them, unfortunately, that I would not be joining  
14 their team, that I was interested in another  
15 position. So, then I went to Security Mutual.

16 Q. But you left the County because of the  
17 issues with the DA. The first job -- you never even  
18 started working at Family Design, is the bottom line?

19 A. No, I didn't start there at all.

20 Q. I understand. What is your current  
21 salary?

22 A. 42,000 a year, I think.

23 Q. What was it your last year with the  
24 County?

25 A. I might have said 32, 31. Again, I am

1 not a hundred percent sure on these facts.

2 Q. Do you still have any contact with Mr.  
3 Stoud?

4 A. Yes, I do.

5 Q. What is that?

6 A. He is still a mentor, still a friend.

7 Q. Do you still discuss your lawsuit  
8 against the County with him?

9 A. Not really.

10 Q. Do you have any contact with any of the  
11 County Commissioners since you left in March?

12 A. I have sent a text to Commissioner  
13 Hall, his birthday was recently, I said happy  
14 birthday; he responded back, thank you.

15 Q. What about Attorney Giangrieco?

16 A. I haven't seen him.

17 Q. Any other County employees that you  
18 still have contact with?

19 A. Not really. You know, I am Facebook  
20 friends with a few of them, but there is no in-depth  
21 conversations.

22 Q. Is there anyone that you have discussed  
23 your lawsuit against the County with that you can  
24 recall?

25 A. I don't believe so.

1 Q. Are you married?

2 A. I am.

3 Q. How long?

4 A. I was married 13 years this past May.

5 Q. Any children?

6 A. I have two.

7 Q. Ages?

8 A. 19 and 12.

9 Q. Other than the people we have talked  
10 about already and County employees, have you  
11 discussed this, your case against Susquehanna County,  
12 other than your attorney, with anyone else?

13 A. Yes, sir.

14 Q. Who is that?

15 A. No one in particular, but this was  
16 picked up by the -- what is the newspaper called, The  
17 Independent and it was on the front page. So,  
18 obviously, my parents said are you okay. I had some  
19 community members that knew me reach out and say,  
20 like, are you okay, you know. But when it hit the  
21 paper to when it actually transpired to was quite a  
22 gap. But, I mean, there was no in-depth details,  
23 just I am okay, that's it.

24 Q. Okay.

25 A. But there is no long, drawn out

1       conversations about it.

2                       MR. HAILSTONE:   That's fine.

3                       That's all I have.

4                       MR. SZEWCZYK:   I have nothing.

5  
6                       (At this time the deposition  
7                       in the above-captioned matter  
8                       was concluded.)

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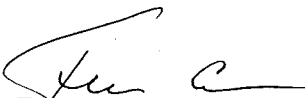
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C E R T I F I C A T E

I, Teresa Crossin, a Notary Public in and for Luzerne County, Pennsylvania, do hereby certify that the deposition was reported in machine shorthand by me, that the said witness was duly sworn/affirmed by me, that the transcript was prepared by me or under my supervision and constitutes a complete and accurate record of same.

I further certify that I am not an attorney or counsel of any parties, nor a relative or employee of any attorney or counsel connected with the action, nor financially interested in the action.



TERESA CROSSIN  
KEYSTONE COURT REPORTING AGENCY, INC.  
4099 BIRNEY AVENUE, SUITE 9  
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## Susquehanna County Commissioners

Alan M. Hall, *Chairman*  
Michael J. Giangrieco, *Vice Chairman*  
MaryAnn Warren, *Commissioner*



SUSQUEHANNA COUNTY COURTHOUSE  
MONTROSE, PENNSYLVANIA

570-278-4600  
Fax 570-278-9268  
R.S. Stoud, *Acting Chief Clerk*  
Thomas F. Meagher III, *Solicitor*

PO Box 218 - Courthouse - Montrose, Pennsylvania 18801

December 29, 2015

Richard Ely, Director  
County Office of Veterans' Affairs

**Re: Final Writing Warning**

Dear Mr. Ely:

On behalf of the Commissioners, I am writing to follow up with you on the events which occurred on December 23, 2015. After reviewing your statement, as well as the statements of other individuals who witnessed the events, it appears that the facts are not in dispute. On December 23, toward the end of the workday, you were in the County's Offices wishing several employees a Merry Christmas. At this time, you hugged several employees, apparently after they wished you a Merry Christmas and reached out for a hug. At this time, Maggie McNamara was present and observed the above events. She made no effort to be involved, nor did she wish you a happy holiday or attempt to initiate any physical contact with you.

You then exited the area and spoke with several other employees who you wished happy holidays. Thereafter, you exited the building and observed Ms. McNamara sitting in her vehicle preparing to leave. Without any prompting or direction from Ms. McNamara, you approached her vehicle and motioned for her to roll down her window. When she did so, you leaned and attempted to kiss her on the cheek during which you indicated that you were attempting to wish her a Merry Christmas. Ms. McNamara withdrew from you and, by your own admission, immediately appeared very uncomfortable about your actions. You apologized to her then, and subsequently apologized a second time on Monday, December 28, 2015.

I spoke with you on December 28, 2015, regarding the above events. Although you provided the above information to me during that meeting, you also seemed to question the seriousness of the issues as well. For instance, you questioned whether anyone had complained about the incident, and, if so, who and whether or not anyone had indicated that they felt uncomfortable by your actions. At the end of the conversation, I directed you to write a statement describing the events on December 23 and include any other information that you wished to provide.

**DEFENDANT'S  
EXHIBIT**

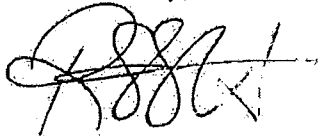
6-6-18 TAC

On December 29, 2015, you submitted a written statement in which you detailed the events which occurred on December 23. In contrast to our meeting the previous day, you accepted full responsibility for your actions and indicated that, although they were "well intentioned" in your mind, that they nonetheless constituted a lapse in judgment on your part. You further indicated that you would never again place yourself in a position where your conduct or motivation could be questioned.

Based upon the above events, please consider this letter to be a Final Written Warning. Regardless of your motivation or intentions, your conduct on December 23, 2015, was unprofessional and unacceptable and will not be tolerated at any level in the future. You are currently a Department Head, but you were also the County's Human Resource Director before that. As a seasoned human resources professional, you obviously are aware that workplace touching and statements are not viewed through the actor's eyes or with regard to their intentions, but rather, through the eyes of the individual to whom the actions are being directed. Thus, regardless of your stated good intentions of sharing holiday greetings, it should have been extremely obvious to you that attempting to kiss a co-worker *for any reason* was problematic and in violation of the County's policy regarding workplace harassment.

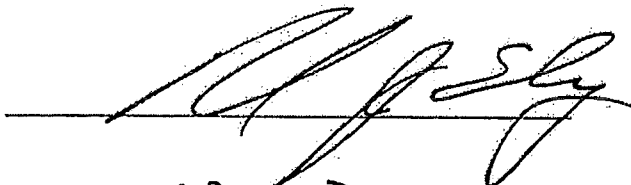
To the extent that this or any similar conduct occurs in the future, or the County receives additional substantive information about this incident, the County will terminate your employment immediately. You should take full advantage of this additional opportunity to ensure that your conduct is beyond question in the future and you handle yourself in a professional manner moving forward.

Sincerely,



R.S. Stoud  
Acting Chief Clerk

I hereby acknowledge receipt and a copy of this correspondence.



Date: 12 - 30 - 2015

Steve:

As instructed here is my summary of the events which took place that resulted in the complaint filed by Maggie McNamara.

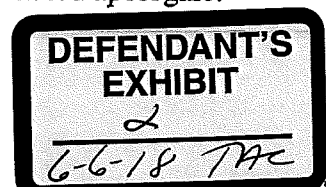
On Dec. 23<sup>rd</sup> the following took place at approximately 4:30 P.M. The members of the Commissioner's Office staff were preparing to leave work for the Christmas break. Diane Quattracchi was in the office area and was wishing people a Merry Christmas. She came up to me and gave me a hug and a kiss on the cheek and wished me a Merry Christmas. I thanked her and wished her the same. Jeanne Conklin observed this and said to me, can I wish you a Merry Christmas? I said of course, or something like that and she reached out for a hug. We hugged and wished one another a Merry Christmas. If I recall Sally Hawley who was also preparing to leave also gave me a hug and wished me a Merry Christmas. Sally had given me a hug and I believe a kiss on the cheek earlier that morning when I gave her a Christmas card with a lottery ticket as I had done for all the other members of the Commissioner's Office staff. Each of these Christmas well wishes took place in front of Maggie who was seated at her desk.

I returned to the Veterans Affairs Office to wish Tara Kennedy a Merry Christmas as she left. We also exchanged hugs and wished each other a Merry Christmas. I closed out my computer, put things away, put on my coat and shut and locked the doors to the area. As I did so I noticed that the lights in the Commissioner's area were also off. It appeared that Maggie had left. I felt bad since I had not yet wished her a Merry Christmas and did not want her to feel I was ignoring her.

When I exited the building Maggie was still in her parking space which is right next to mine. I tapped on the window which she rolled down. I told her I just wanted to wish her a Merry Christmas and began to move my head toward her intending to give her a peck on the cheek along with my well wishes for a Merry Christmas. As I began to do so she moved away and it was apparent that she felt awkward. Realizing this, I immediately stepped back from her car not wanting to make her uncomfortable. I was very surprised at her unexpected reaction. I was embarrassed and felt bad. I believe I put my hands up and said, "Whoa, sorry Maggie, I was just trying to wish you a Merry Christmas that doesn't happen every day", or something to that effect. With that I said, "I hope you and your family have a wonderful Christmas" and then I immediately went to my car.

I felt bad that I had made Maggie uncomfortable and beat myself up over the holiday weekend at my well intended yet ill advised attempt to wish her a Merry Christmas. As you are aware I made it a point to speak to Maggie at my first opportunity on Monday to apologize and I told her I was sorry if she was offended and that I had no intention of making her uncomfortable with my efforts to wish her a Merry Christmas. I did this and also told you and Maryann about what had taken place before I even knew Maggie had expressed concern.

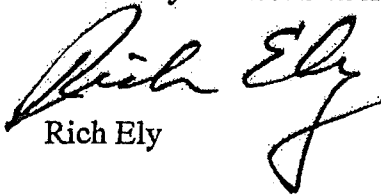
Later in the afternoon you called me into your office with Jeanne Conklin and told me you were investigating this incident. I shared with you the information as described above and you told me I should put this written summary together. I want to assure you, and the Commissioner's, that I had absolutely no intention of offending Maggie. Furthermore I can promise you that such an occurrence will never happen again with Maggie or any other individual. In hind sight, obviously my Christmas spirit and best intentions clouded my judgment & had an unintended consequence. I apologize.



Naturally I am concerned about the ramifications of this incident. In our conversation you brought up several times the pending matter regarding Shari Minarsky. I understand your concerns however being totally familiar with that case I feel it is extremely important to consider that those allegations were for multiple and significant indiscretions on numerous occasions and continued after she had informed the individual that she was uncomfortable with his conduct and that he should stop. By comparison my own intentions were motivated by good will and had I had any idea that my efforts at wishing Maggie a Merry Christmas as I had the other staff members, would result in her discomfort I most certainly would not have done so. As I stated before I will learn from this unfortunate incident and will not place myself or others in a position to question my conduct or intentions ever again.

In closing, as you are well aware December has been a very stressful month with all the changes and the significant challenges I now face in the Veterans Affairs Office. I hope that the intentions and full context in which this event took place will be considered and that we can move on with helping our County's veterans. Thank you for your understanding and compassion.

Contritely & Most Sincerely,



Rich Ely

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MAGGIE MCNAMARA

Plaintiff

v.

SUSQUEHANNA COUNTY,  
COMMISSIONER  
ELIZABETH ARNOLD,  
COMMISSIONER  
MARYANN WARREN,  
SUSQUEHANNA CO.  
DIRECTOR OF VETERANS  
AFFAIRS RICHARD ELY

Defendants

CIVIL ACTION

No. 3:17-CV-2182

JURY TRIAL DEMANDED

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**PLAINTIFF'S INITIAL DISCLOSURES**

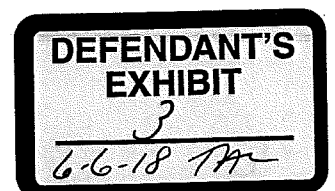
Pursuant to the requirements of Fed.R.Civ.P. 26(a), Plaintiff, Maggie McNamara, by her counsel, hereby provides the initial disclosure information.

- 1. Pursuant to Fed.R.Civ.P. 26(a)(1)(A), the following are names of individuals who may have information relevant to the current matter:**

Robert Stoud  
324 Maple Street  
Montrose, PA

Maggie McNamara  
5681 North Road  
Friendsville, PA 18818

Commissioner Elizabeth Arnold  
P.O. Box 218



31 Lake Avenue  
Montrose, PA 18801

Commissioner MaryAnn Warren  
P.O. Box 218  
31 Lake Avenue  
Montrose, PA 18801

Commissioner Alan Hall  
P.O. Box 218  
31 Lake Avenue  
Montrose, PA 18801

Michael Giangrieco, Esquire  
P.O. Box 218  
31 Lake Avenue  
Montrose, PA 18801

Richard Ely  
P.O. Box 218  
31 Lake Avenue  
Montrose, PA 18801

Jeanne Conklin  
P.O. Box 218  
31 Lake Avenue  
Montrose, PA 18801

Lana Adams  
P.O. Box 218  
31 Lake Avenue  
Montrose, PA 18801

Stephen Janoski  
P.O. Box 218  
31 Lake Avenue  
Montrose, PA 18801

**2. Documents in the possession, custody, or control of Plaintiff that may be used in support of her case:**

- A. 12/30/15 Final Warning Letter from Stoud to Ely
- B. 6/10/16 Letter from Stoud to Commissioners
- C. 6/10/16 Memo from Stoud to Commissioners (RE: McNamara)
- D. 6/13/16 Letter from Stoud to Commissioners

**3. Damages Claimed by Plaintiff:** See Complaint for damages sought. A full computation has not yet been calculated.

**4. Insurance Agreements:** Unknown by Plaintiff.

Plaintiff may supplement this information, as necessary and appropriate, prior to trial.

Respectfully Submitted:

s/ Gerard M. Karam, Esquire  
Gerard M. Karam, Esquire  
Atty. ID# PA 49625

s/ Christopher J. Szewczyk, Esquire  
Christopher J. Szewczyk, Esquire  
Atty. ID # PA 306689  
Mazzoni, Karam, Petorak, and  
Valvano  
321 Spruce Street  
Suite 201  
Scranton, PA 18503  
P: (570) 348-0776  
F: (570) 348-2755

**CERTIFICATE OF SERVICE**

I, Christopher J. Szewczyk, Esquire, hereby certify that on January 8, 2018, I served a true and correct copy of the foregoing document to the following via US Mail:

A. James Hailstone, Esquire  
Kreder Brooks Hailstone LLP  
220 Penn Avenue, Suite 200  
Scranton, PA 18503

/s/ Christopher J. Szewczyk, Esquire  
Christopher J. Szewczyk, Esquire  
Mazzoni, Karam, Petorak, and  
Valvano  
321 Spruce Street  
Suite 201  
Scranton, PA 18503

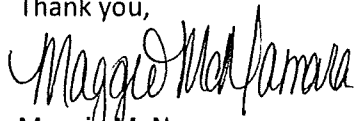


June 21, 2016

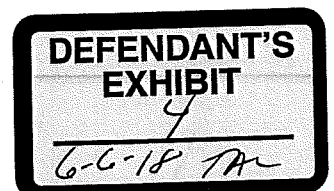
Re: Resignation of Maggie McNamara

It is my intention to resign from my current position as Deputy Chief Clerk upon approval to transfer to the District Attorney's Office as the Victim Witness Coordinator.

Thank you,

  
Maggie McNamara

DATE, INITIAL, PASS & RETURN		
DATE	INITIAL	COPY ME



SUSQUEHANNA COUNTY COMMISSIONERS

Alan M. Hall, Chairman  
Elizabeth M. Arnold, Vice Chairman  
MaryAnn Warren, Commissioner

570-278-4600 (Phone)  
570-278-9268 (Fax)



R.S. Stoud, Chief Clerk  
Michael J. Giangrieco, Solicitor

PO Box 218  
105 Maple Street  
Montrose, PA 18801

June 14, 2016

To: Susquehanna County Commissioners  
From: R. S. Stoud  
Subject: Letter of Resignation

Dear Commissioners,

It is with no small amount of consideration that I have come to the decision that I wish to resign from the additional position and responsibilities of Susquehanna County Chief Clerk and request that you honor your agreement to allow me to return to the position of Director of Public Safety, under the terms previously agreed to, as soon as is practical. I have enjoyed my time serving as Chief Clerk and appreciate the opportunity to have served in this position. It is my hope that the positive forward momentum and accomplishments for Susquehanna County continue. Unfortunately, some recent management directional and operational changes have resulted in a working environment where I feel that I cannot effectively continue within the position of Chief Clerk. I wish everyone the best in their future professional and personal endeavors.

Regards,

R.S. Stoud

CC: Commissioner Alan M. Hall  
Commissioner Elizabeth M. Arnold  
Commissioner MaryAnn Warren

DEFENDANT'S  
EXHIBIT

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6-6-18 TD

## Susquehanna County Commissioners

Alan M. Hall, Chairman  
 Elizabeth M. Arnold, Vice Chairman  
 MaryAnn Warren, Commissioner



570-278-4600  
 Fax 570-278-9268

R.S. Stoud, Chief Clerk  
 Michael J. Glangreco, Solicitor

PO Box 218 - Courthouse - Montrose, Pennsylvania 18801

June 10, 2016

Re: Counseling Session with Deputy Chief Clerk McNamara

Dear Commissioners:

As directed, I spoke with Deputy Chief Clerk McNamara this date relative to the issues that were presented in list form to myself, but that it was determined that Deputy McNamara needed to be made aware of, and ensure compliance with.

1. Lack of Communication [sic]

This was discussed and is understood that communication flow is very important.

2. Tone Of Voice With Disrespect [sic]

McNamara stated that she does not believe that in her position that she has been rude or disrespectful to anyone, but related that she understands the importance of treating all with proper respect.

3. Unnecessary personnel chatting in office with ongoing laughter and giggling non business related for very long periods of time [sic]

I related to Deputy McNamara we must remain on guard to avoid the appearance of impropriety so as not to create a misperception, regardless of the truth. Deputy McNamara related that she conducts herself professionally and that working closely together provides the ability for seamless transition on work related information passing and work requirements, as well as facilitating the learning process of different job responsibilities and tasks. She stated that she viewed laughter as being just part of who she is and viewed it as a tension release. She went on to state that she resents the implication that she should have to clarify that she is not having an unprofessional relationship with her boss. I informed her that I agree. She also asked if this comment applied to everyone, or just my office. I advised her there was no specificity provided, other than my office, save the comment above.

DEFENDANT'S  
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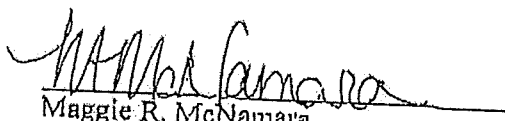
4. Lack of priority of minutes and agenda being correct for content and grammar [sic]

This matter was discussed with Deputy McNamara to ensure that she understands the importance of attention to detail as it relates to these items.

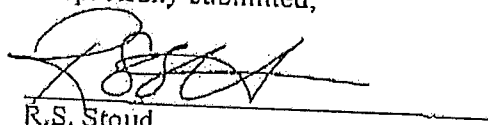
5. Deputy chief clerk has no respect for department heads [sic]

Deputy McNamara related that she treats all with respect and will ensure that she continues to do so.

I acknowledge that I have discussed and understand the above items.

  
Maggie R. McNamara  
Deputy Chief Clerk

Respectfully submitted,

  
R.S. Stoud,  
Chief Clerk

Lack of communication

Tone of voice with disrespect

Unnecessary personnel chatting in office with ongoing laughter and giggling non business related for very long periods of time

Lack of priority of minutes and agenda being correct for content and grammar

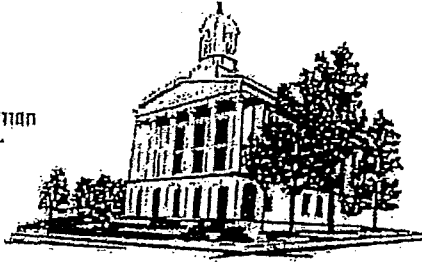
Enraged behavior in defense of certain employees

Deputy chief clerk has no respect for department heads

## SUSQUEHANNA COUNTY COMMISSIONERS

Alan M. Hall, Chairman  
 Elizabeth M. Arnold, Vice Chairman  
 MaryAnn Warren, Commissioner

570-278-4600 (Phone)  
 570-278-9268 (Fax)



R.S. Stoud, Chief Clerk  
 Michael J. Giangrieco, Solicitor

PO Box 218  
 105 Maple Street  
 Montrose, PA 18801

June 13, 2016

Re: Personnel Matter as related by Deputy Chief Clerk McNamara

Dear Commissioners:

As instructed, I met with and related the issues of concern on the list that was provided. Upon completion of same, Deputy McNamara related the following to me. Deputy McNamara related that she had concerns about a number of issues, some related to the issues discussed in the meeting that I had with the Commissioners and some not. She went to state that she does not believe that she acts in a manner that is rude or unprofessional. She went on to state that the majority of the time she goes out of her way to be more caring and sympathetic. She related that she feels like she is constantly working under a microscope and no matter how much or hard she works, it does not appear to make a difference. Deputy McNamara related that whether she has tried to be completely professional or friendly, nor how many times she has gone above and beyond to assist Commissioners Warren and Arnold that it has not made a difference, and has only gotten worse. She related that she believes that Commissioners Warren and Arnold do not like her personally and she would just prefer them to stop being unfair and singling her out. Deputy McNamara related that Commissioner Warren can be very nice one minute and in the next, very mean, and she never knows what to expect from day to day.

Deputy McNamara referred to an unprofessional incident that occurred with Rich Ely, where he attempted to hug and kiss her during December of 2015. She stated that she felt that this issue seemed to go unnoticed and unaddressed except from her discussion with myself. Deputy McNamara related that she continued to work in proximity with him and that when Veterans Affairs had issues, the Commissioners temporarily assigned her to the office to assist along with him, making her feel uncomfortable. She related that since this incident she again stated that she feels like a victim of excessive criticism relative to her work. Deputy McNamara ended by stating that she is very afraid that once she states this information and its read by the Commissioners, that she will be terminated without cause. Deputy McNamara stated that this excessive criticism began increasing after the incident with Ely and was left with no alternative but to believe that this is retaliatory type behavior.

(I would add that, although Commissioner Arnold began her term after the incident with Ely, she was made aware of same and commented in front of myself and Commissioner Hall that, concerning the incident, she did not see what the big deal was, it was only a hug at Christmas.)

DEFENDANT'S  
 EXHIBIT

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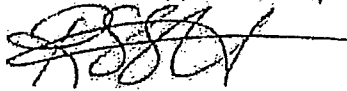
6-6-18 PA

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I informed her that I would document her responses and have her review same prior to signing the document. I additionally asked her to author her own letter regarding the above additional matters and submit same to me on her own without being rushed. Deputy McNamara signed the counseling letter document on 06/10/2016.

On 06/14/2016. Deputy McNamara checked the content of this letter, verified it's accuracy and informed me that she would not be offering her own letter, that she felt that the information provided to me at this point would suffice as being that of a formal complaint, but that she would participate and answer any questions or take part in any meetings desired. I informed her that I would forward her concerns with her counseling letter response.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R.S. Stoud', with a horizontal line extending to the right.

R.S. Stoud,  
Chief Clerk